

HB 1157 -- STUDENT DATA PRIVACY

SPONSOR: Lair

This bill requires the State Board of Education within the Department of Elementary and Secondary Education to adopt a rule on student data accessibility, transparency, and accountability in the statewide longitudinal data system that:

(1) Creates and makes available a data inventory and index of data elements that include any personally identifiable data required to be reported by the state or federal education mandates and data proposed to be included with the purpose for inclusion;

(2) Requires the department to develop policies to comply with state and federal privacy laws and policies, restricting access to personally identifiable data to specified persons and agencies and developing procedures for data requests;

(3) Prohibits the transfer of personally identifiable data unless provided by law and policy;

(4) Requires the development of a detailed data security plan with specified elements;

(5) Ensures the department's compliance with privacy laws and policies;

(6) Ensures that contracts for databases, assessments, or instructional supports that include student data outsourced to private vendors include privacy safeguards and penalties for noncompliance; and

(7) Notifies the Governor and General Assembly each year of new data proposed for inclusion and changes to existing data collection;

The bill also prohibits the department and school districts from reporting individual student data from juvenile court delinquency records, criminal records, biometric information, political affiliation, or religion.